

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of Hawaii

WAYNE BERRY,

Plaintiff,

V.

SUMMONS IN A CIVIL ACTION

DEUTSCHE BANK TRUST
COMPANY AMERICAS et al.,

CASE NUMBER: _____

TO: (Name and address of Defendant)

ALL NAMED DEFENDANTS

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

TIMOTHY J. HOGAN - HSBN 5312
LYNCH ICHIDA THOMPSON KIM & HIROTA
1132 BISHOP STREET, SUITE 1405
HONOLULU, HAWAII 96706
TEL (808) 528-9721
FAX (808) 528-4997

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SUE BEITIA

CLERK

Sue Beitia
(By) DEPUTY CLERK

MAR 29 2007

DATE

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| RETURN OF SERVICE | | |
|---|----------|--------------|
| Service of the Summons and complaint was made by me ⁽¹⁾ | DATE | |
| NAME OF SERVER (<i>PRINT</i>) | TITLE | |
| <i>Check one box below to indicate appropriate method of service</i> | | |
| <input type="checkbox"/> Served personally upon the defendant. Place where served: | | |
| <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: | | |
| <input type="checkbox"/> Returned unexecuted: | | |
| <input type="checkbox"/> Other (specify): | | |
| STATEMENT OF SERVICE FEES | | |
| TRAVEL | SERVICES | TOTAL \$0.00 |
| DECLARATION OF SERVER | | |
| I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct. | | |
| Executed on _____ <div style="display: flex; justify-content: space-between; width: 80%; margin: 0 auto;"> <div style="text-align: center;">Date</div> <div style="text-align: center;">Signature of Server</div> </div> | | |
| <div style="text-align: center; margin-top: 20px;"> Address of Server _____ </div> | | |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.